



Sen. Debbie DeFrancesco Halvorson

Filed: 4/27/2004

09300HB4403sam001

LRB093 15068 DRH 50127 a

1 AMENDMENT TO HOUSE BILL 4403

2 AMENDMENT NO. _____. Amend House Bill 4403 on page 1, line
3 5, by replacing "and 6-208" with "6-208, and 6-306.6"; and
4
5 on page 23, below line 3, by inserting the following:

6 "Section 5. The Illinois Vehicle Code is amended by
7 changing Section 6-306.6 as follows:

8 (625 ILCS 5/6-306.6) (from Ch. 95 1/2, par. 6-306.6)
9 Sec. 6-306.6. Failure to pay traffic fines, penalties, or
10 ~~and~~ court costs.

11 (a) Whenever any resident of this State fails to pay any
12 traffic fine, penalty, or ~~and~~ cost imposed for a violation of
13 this Code, or similar provision of local ordinance, the clerk
14 may notify the Secretary of State, on a report prescribed by
15 the Secretary, and the Secretary shall prohibit the renewal,
16 reissue or reinstatement of such resident's driving privileges
17 until such fine, penalty, or ~~and~~ cost has ~~have~~ been paid in
18 full. The clerk shall provide notice to the driver, at the
19 driver's last known address as shown on the court's records,
20 stating that such action will be effective on the 46th day
21 following the date of the above notice if payment is not
22 received in full by the court of venue.

23 (a-1) Whenever any resident of this State who has made a
24 partial payment on any traffic fine, penalty, or cost that was

1 imposed under a conviction entered on or after the effective
2 date of this amendatory Act of the 93rd General Assembly, for a
3 violation of this Code or a similar provision of a local
4 ordinance, fails to pay the remainder of the outstanding fine,
5 penalty, or cost within the time limit set by the court, the
6 clerk may notify the Secretary of State, on a report prescribed
7 by the Secretary, and the Secretary shall prohibit the renewal,
8 reissue, or reinstatement of the resident's driving privileges
9 until the fine, penalty, or cost has been paid in full. The
10 clerk shall provide notice to the driver, at the driver's last
11 known address as shown on the court's records, stating that the
12 action will be effective on the 46th day following the date of
13 the notice if payment is not received in full by the court of
14 venue.

15 (b) Following receipt of the report from the clerk, the
16 Secretary of State shall make the proper notation to the
17 driver's file to prohibit the renewal, reissue or reinstatement
18 of such driver's driving privileges. Except as provided in
19 paragraph (2) of subsection (d) of this Section, such notation
20 shall not be removed from the driver's record until the driver
21 satisfies the outstanding fine, penalty, or ~~and~~ cost and an
22 appropriate notice on a form prescribed by the Secretary is
23 received by the Secretary from the court of venue, stating that
24 such fine, penalty, or ~~and~~ cost has been paid in full. Upon
25 payment in full of a traffic fine, penalty, or ~~and~~ court cost
26 which has previously been reported under this Section as
27 unpaid, the clerk of the court shall present the driver with a
28 signed receipt containing the seal of the court indicating that
29 such fine, penalty, or ~~and~~ cost has ~~have~~ been paid in full, and
30 shall forward forthwith to the Secretary of State a notice
31 stating that the fine, penalty, or ~~and~~ cost has ~~have~~ been paid
32 in full.

33 (c) The provisions of this Section shall be limited to a
34 single action per arrest and as a post conviction measure only.

1 Fines, penalty, or ~~and~~ costs to be collected subsequent to
2 orders of court supervision, or other available court
3 diversions are not applicable to this Section. ~~A driver making~~
4 ~~a partial payment of any outstanding fine, penalty, and cost is~~
5 ~~not a sufficient basis for the clerk to notify the Secretary~~
6 ~~for any subsequent action pursuant to this Section.~~

7 (d) (1) Notwithstanding the receipt of a report from the
8 clerk as prescribed in subsection (a), nothing in this Section
9 is intended to place any responsibility upon the Secretary of
10 State to provide independent notice to the driver of any
11 potential action to disallow the renewal, reissue or
12 reinstatement of such driver's driving privileges.

13 (2) The Secretary of State shall renew, reissue or
14 reinstate a driver's driving privileges which were previously
15 refused pursuant to this Section upon presentation of an
16 original receipt which is signed by the clerk of the court and
17 contains the seal of the court indicating that the fine,
18 penalty, or ~~and~~ cost has ~~have~~ been paid in full. The Secretary
19 of State shall retain such receipt for his records.

20 (Source: P.A. 89-71, eff. 1-1-96.)".